

Membership Balance Plan  
Board of Visitors for the Western Hemisphere Institute for Security Cooperation

Agency: Department of Defense (DoD)

1. Authority: The Secretary of Defense, pursuant to 10 U.S.C. § 2166(e) and in accordance with the Federal Advisory Committee Act (FACA) of 1972 (5 U.S.C., Appendix, as amended) and 41 C.F.R. § 102-3.50(a), established the Board of Visitors for the Western Hemisphere Institute for Security Cooperation (“the Board”).
2. Mission/Function: The Board, under the provisions of 10 U.S.C. § 2166(e) and FACA, shall provide independent advice and recommendations to the Secretary of Defense and the Deputy Secretary of Defense, through the Secretary of the Army, on matters pertaining to the operations and management of the Western Hemisphere Institute for Security Cooperation (“the Institute”) and shall:
  - a. Inquire into the curriculum instruction, physical equipment, fiscal affairs, and academic methods of the Institute; other matters relating to the Institute that the Board decides to consider; and any other matter that the Secretary of Defense determines appropriate.
  - b. Review the curriculum to determine whether it adheres to current U.S. doctrine, complies with applicable U.S. laws and regulations, and is consistent with U.S. policy goals toward Latin America and the Caribbean.
  - c. Determine whether the instruction under the curriculum of the Institute appropriately emphasizes human rights, the rule of law, due process, civilian control of the military, and the role of the military in a democratic society.

The Board shall, not later than 60 days after its annual meeting, submit to the Secretary of Defense a written report of its activities, views, and recommendations pertaining to the Institute.

3. Points of View: The Board shall be comprised of 14 members; 6 of whom will, to the extent practicable, have professional experience in academia, religious institutions, and human rights communities. The remaining members, pursuant to 10 U.S.C. § 2166(e), shall include the following regular government employee (RGE) members:
  - a. Two Members of the Senate (the Chair and Ranking Member of the Armed Services Committee or a designee of either of them);
  - b. Two Members of the House of Representatives (the Chair and Ranking Member of the Armed Services Committee or a designee of either of them);
  - c. One person designated by the Secretary of State;
  - d. The senior military officer responsible for training and doctrine in the U.S. Army (or designee); and
  - e. The Combatant Commanders with geographic responsibility for the Western Hemisphere (U.S. Northern and Southern Command) (or the designees of those officers).

Board members designated or affirmed by the Secretary of Defense or the Deputy Secretary of Defense, who are not full-time or permanent part-time Federal officers or employees, shall be appointed as experts and consultants, pursuant to 5 U.S.C. § 3109, to serve as special government employee (SGE) members. Those individuals who are full-time or permanent

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part-time Federal employees shall be appointed, pursuant to 41 C.F.R. § 102-3.130(a), to serve as RGE members. All members designated or affirmed by the Secretary of Defense or the Deputy Secretary of Defense will be renewed on an annual basis, in accordance with DoD policies and procedures.

The DoD, in selecting potential candidates for the Board, reviews the educational and professional credentials of individuals and bases its selection on this review and the subject matters being handled by the Board. The Department has found that viewing the complex issues facing the Institute through a multi-disciplinary advisory committee, provides the Department and, more importantly, the American public with a broader understanding of the issues on which to base subsequent policy decisions.

The Board's membership is not static, and the Secretary of Defense may change those member appointments over which he has discretion based upon work assigned to the Board by the Secretary of Defense, the Deputy Secretary of Defense, or the Secretary of the Army, as the Board's Sponsor. The Department, unless otherwise instructed by an Act of Congress or Presidential directive, does not use representative members on DoD-established or supported advisory committees.

4. Other Balance Factors: N/A
5. Candidate Identification Process: The DoD, in selecting potential candidates for the Board, reviews the educational and professional credentials of individuals with extensive professional experience in the areas of academia, religion, and human rights. Potential candidates are identified by the Board's professional staff and current or departing Board members.

Prior to nominating the potential candidates, the list of candidates will undergo a review by the Office of General Counsel of the Department of Defense and the Office of the Advisory Committee Management Officer to ensure compliance with Federal and DoD governance requirements, including compliance with the Board's charter and membership balance plan. Following this review, the Secretary of the Army formally nominates the potential candidates to the Secretary of Defense or the Deputy Secretary of Defense for approval. Pursuant to DoD policy, only the Secretary of Defense or the Deputy Secretary of Defense can invite or approve the appointment of individuals to serve on DoD-established or supported advisory committees and subcommittees, unless otherwise dictated by statute or presidential directive.

Following approval by the Secretary of Defense or the Deputy Secretary of Defense, the candidates are required to complete the necessary appointment paperwork, to include meeting ethics requirements stipulated by the Office of Government Ethics for advisory committee members who are appointed as SGE members.

Those individuals who are designated or affirmed by the Secretary of Defense or the Deputy Secretary of Defense will serve as members to the Board for one-to-four year terms of service, with annual renewals. However, none of these individuals, unless authorized by the Secretary of Defense or the Deputy Secretary of Defense, may serve more than two consecutive terms of service on the Board, to include its subcommittees.

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Membership vacancies for the Board and its subcommittees will be filled in the same manner as described in the previous four paragraphs above.

6. Subcommittee Balance: The Department, when necessary and consistent with the Board's mission and DoD policies and procedures, may establish subcommittees, task forces, or working groups to support the Board. The Board shall establish and maintain two permanent subcommittees, the Subcommittee on Education and the Subcommittee on Outreach, whose members will have professional experience in academia, religious institutions, and human rights communities. Each subcommittee shall be comprised of no more than eight members.

The Secretary of Defense or the Deputy Secretary of Defense shall approve the appointment of subcommittee members to a one-to-four year term of service, with annual renewals. Individuals considered for appointment to any subcommittee of the Board may come from the Board itself or from new nominees, as recommended by the Secretary of the Army and based upon the subject matters under consideration, but they must be approved by the Secretary of Defense or the Deputy Secretary of Defense before participating in any subcommittee work.

Subcommittee members, who are not full-time or permanent part-time Federal officers or employees, shall be appointed as experts and consultants, pursuant to 5 U.S.C. § 3109, to serve as SGE members. Individuals who are full-time or permanent part-time Federal officers or employees shall be appointed, pursuant to 41 C.F.R. § 102-3.130(a), to serve as RGE members. No subcommittee member may serve more than two consecutive terms of service without Secretary of Defense or Deputy Secretary of Defense approval.

7. Other: As nominees are considered for appointment to the Board, the DoD adheres to the rules and regulations issued by the Office of Management and Budget's Final Guidance on Appointment of Lobbyists to Federal Boards and Commissions (76 FR 61756; October 5, 2011) and the rules and regulations issued by the Office of Government Ethics.
8. Date Prepared: June 13, 2014